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ATTORNEYS FOR DEFENDANT

JANE SCHUBERT and  
MUHLENBERG COLLEGE

Plaintiffs

v.

ALEXANDER ISINHUE

Defendant.

: IN THE UNITED STATES DISTRICT COURT  
: EASTERN DISTRICT OF PENNSYLVANIA

:

: No. 24-cv-03145

:

:

:

:

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:

**PRAECIPE TO ATTACH**

TO THE CLERK:

Please attach the Amended Complaint attached to this Praecipe as Exhibit A to the Notice of Removal filed by Defendant in this matter.

Dated: July 18, 2024

Respectfully submitted,

THE LAW OFFICE OF MICHAEL J. D'ANIELLO

BY: 

MICHAEL J. D'ANIELLO, ESQUIRE  
Attorney for Defendant

# **EXHIBIT A**

FILED 6/5/2024 9:36 AM, Clerk of Judicial Records, Civil Division, Lehigh County, PA  
2023-C-2820 /s/KF

**IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA  
CIVIL DIVISION**

JANE SCHUBERT and  
MUHLENBERG COLLEGE,

Plaintiffs

v.

ALEXANDER ISINHUE,

Defendant

NO: 2023-C-2820

JURY TRIAL DEMANDED

**NOTICE TO DEFEND**

You have been sued in court. If you wish to defend against the claims set forth in the following Complaint, you must take action within twenty (20) days after the Complaint and Notice are served by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you, and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property, or other rights important to you.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.**

**IF YOU CAN NOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY**

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**OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

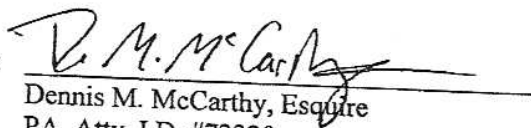
LEHIGH COUNTY BAR ASSOCIATION  
LAWYER REFERRAL SERVICE  
1114 WALNUT STREET  
ALLENTOWN, PA 18102

PHONE: 610-433-7094

DAVISON & McCARTHY, P.C.

Date: 6/5/2024

By:



Dennis M. McCarthy, Esquire  
PA. Atty. I.D. #73320  
645 Hamilton St., Suite 510  
Allentown, PA 18101  
610.435.0450

Attorney for Plaintiffs  
Jane Schubert and Muhlenberg College

373955



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**IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA  
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JANE SCHUBERT and  
MUHLENBERG COLLEGE,

Plaintiffs

v.

ALEXANDER ISINHUE,

Defendant

NO: 2023-C-2820

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**AMENDED COMPLAINT**

AND NOW comes, Jane Schubert and Muhlenberg College, by and through their attorneys, Davison & McCarthy, P.C., and hereby file this Amended Complaint and aver the following:

**PARTIES**

1. Plaintiff Jane Schubert ("Ms. Schubert") is an adult individual with an address c/o Muhlenberg College, 2400 Chew Street, Allentown, Lehigh County, PA 18104.
2. Plaintiff Muhlenberg College (the "College" or "Muhlenberg") is a Pennsylvania nonprofit corporation with an address of 2400 Chew Street, Allentown, Lehigh County, PA 18104.
3. Defendant, Alexander Isinhue, an adult individual with an address of 5 Sommet, Newport Coast, CA 92657.

**JURISDICTION AND VENUE**

4. This Court has subject matter jurisdiction of this claim on all or part of the causes of action, and injuries related thereto that have arisen in Lehigh County pursuant to 42 Pa. C.S.A. § 931. Furthermore, Lehigh County serves as the jurisdiction where a third party would reasonably have encountered the defamatory statements disseminated by the Defendant about the Plaintiffs

through various online platforms, including the Internet and social media. Fox v. Smith, 263 A.3d 555, 561 (Pa. 2021).

5. Pursuant to Pa.R.C.P. 1006 and Pa.R.C.P. 2179, the Venue is correctly assigned to this Court. The underlying causes of action stem from transactions and occurrences that transpired within Lehigh County.

### **BACKGROUND**

6. Muhlenberg is a highly selective, private, liberal arts college founded in 1848 in Allentown, Pennsylvania. The College is dedicated to shaping creative, compassionate, collaborative citizens through rigorous academic programs in the arts, humanities, natural sciences and social sciences, as well as select pre-professional and graduate programs.

7. Ms. Schubert is and has been employed by Muhlenberg since 1996.

8. Ms. Schubert is currently the Executive Director for College Life Operations. Prior to July 1, 2022, Ms. Schubert was the Associate Dean of Students and Director of Student Conduct at Muhlenberg College, a position she held for more than twenty years.

9. Muhlenberg has earned and enjoys an excellent local and national reputation as an institution of higher learning, a corporate citizen of the Lehigh Valley and as an employer of an exceptional group of faculty, administrators and staff.

10. Throughout her extensive tenure at Muhlenberg, Ms. Schubert has earned a reputation as a dedicated, professional and effective administrator who performed her duties as Associate Dean of Students and Director of Student Conduct with fairness and empathy, always prioritizing the well-being of both the students and the College.

11. YouTube is an American online video-sharing and social media platform with its headquarters located in San Bruno, California, serving users worldwide.

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12. On Friday, September 22, 2023, Muhlenberg became aware of a video that was posted on YouTube under the account name of "Muhlenberg News", with the URL <https://youtu.be/hRXcFojWaqI?si=dR0sf41hfwk-Z65u> and entitled "Jane Schubert of Muhlenberg College former associate dean of students has a dark secret" (the "First YouTube Video"). True and correct screenshots of the First YouTube Video are attached hereto, and incorporated herein, as Exhibit A.

13. The First YouTube included specific factual written statements about Ms. Schubert overlaid onto an existing video (previously created by the College and shared with student-athletes) where Ms. Schubert is wearing Muhlenberg attire and positioned in front of a Muhlenberg banner. The factual written statements displayed in the First YouTube Video included, but are not limited to, the following:

- a) "This is Jane Schubert a Fat Pedophile Bitch She is Allentown's most wanted."
- b) "She USED to be associate [sic] dean of students, until she was demoted."
- c) "She is a sick toxic dumb c\_\_\_."
- d) "Jane Schubert while as dean used to make students dance in her office without clothes on. She did this instead of disciplinary action and for her own sick pleasure. It was disgusting behavior on Jane's part. She should have been fired."
- e) "We reached out to Jane Schubert for comment. We were met with yelling and unprofessional behavior. Jane Schubert throughout the interaction DID NOT DENY THE ALLEGATIONS."

14. The First YouTube Video was posted on YouTube on September 18, 2023. The First YouTube Video remains active and accessible on YouTube as of the filing of this Amended Complaint.



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15. As of the filing of this Amended Complaint, the First YouTube Video has more than 496 views. The First YouTube Video has been viewed by multiple individuals within Muhlenberg including the President, Vice President for College Life, Vice President for Communications and Marketing along with others.

16. On Sunday, October 8, 2023, Muhlenberg became aware of a second video that was posted on YouTube under the account name of "Muhlenberg News", with the URL <https://www.youtube.com/watch?v=fBZ0svfIL8I> and entitled "Karen Green comments on Jane Schubert for Muhlenberg College allegations" (the "Second YouTube Video"). True and correct screenshots of the Second YouTube Video are attached hereto, and incorporated herein, as Exhibit B.

17. The Second YouTube Video included specific factual written statements about Ms. Schubert overlaid onto an existing video (previously created by the College and shared with student-athletes) where Ms. Schubert is wearing Muhlenberg attire and positioned in front of a Muhlenberg banner. The factual written statements displayed in the Second YouTube Video included, but are not limited to, the following:

- a) "Karen Green was asked to comment: Karen Green who was fired/force retired said Jane Schubert under her watch was awful. Karen believed the allegations to be true."
- b) "Karen Further comments: Suppose you were a football player or soccer player who got in trouble. Jane would make you dance with her without a shirt."
- c) "In case you missed out last video: Jane Schubert while as dean used to make students dance in her office without clothes on. She did this instead of disciplinary

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action and for her own sick pleasure. It was disgusting behavior on Jane's part. She should have been fired."

18. The Second YouTube Video was posted on YouTube on October 8, 2023. The Second YouTube Video remains active and accessible on YouTube as of the filing of this Amended Complaint.

19. As of the filing of this Amended Complaint, the Second YouTube Video has more than 184 views. The Second YouTube Video has been viewed by multiple individuals within Muhlenberg including the President, Vice President for College Life, Vice President for Communications and Marketing along with others.

20. On Sunday, November 5, 2023, Muhlenberg became aware of a third video that was posted on YouTube under the account name of "Muhlenberg News", with the URL <https://www.youtube.com/watch?v=mdcw906aeY> and entitled "Allison Williams from Muhlenberg Dean of Students comments on Jane Schubert's demotion" (the "Third YouTube Video"). True and correct screenshots of the Third YouTube Video are attached hereto, and incorporated herein, as Exhibit C.

21. The Third YouTube Video included specific factual written statements about Ms. Schubert overlaid onto an existing video (previously created by the College and shared with student-athletes) where Ms. Schubert is wearing Muhlenberg attire and positioned in front of a Muhlenberg banner. The factual written statements displayed in the Third YouTube Video included, but are not limited to, the following:

- a) "Allison Williams was asked for comment on Jane: She said 'Jane Schubert was a nightmare to work with. I tried to fire her, but she had tenure. I could only demote Jane.'"

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b) "Jane Schubert applied to be dean of students after Karen Green was fired/forced to retire. She was denied the position."

c) "We reached out to Jane Schubert for comment again. She did not deny the allegations against her. Instead more yelling and horrible behavior."

22. The Third YouTube Video on was posted YouTube on November 3, 2023. The Third YouTube Video remains active and accessible on YouTube as of the filing of this Amended Complaint.

23. As of the filing of this Amended Complaint, the Third YouTube Video has more than 153 views. The Third YouTube Video has been viewed by multiple individuals within Muhlenberg including the President, Vice President for College Life, Vice President for Communications and Marketing along with others.

24. On Wednesday, February 7, 2024, Muhlenberg became aware of a fourth video that was posted on YouTube under the account name of "Muhlenberg News", with the URL <https://www.youtube.com/watch?v=KfYGHYqjBf0> and entitled "Allentown PD is looking into sexual assaults allegations into Jane Schubert and Karen Green" (the "Fourth YouTube Video"). True and correct screenshots of the Fourth YouTube Video are attached hereto, and incorporated herein, as Exhibit D.

25. The Fourth YouTube Video included specific factual written statements about Ms. Schubert overlaid onto an existing video (previously created by the College and shared with student-athletes) where Ms. Schubert is wearing Muhlenberg attire and positioned in front of a Muhlenberg banner. The factual written statements displayed in the Fourth YouTube Video included, but are not limited to, the following:



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- a) "Amazing news! Allentown PD has opened an investigation into Jane Schubert. We have finished submitting all documents to Allentown PD to investigate."
- b) "We wanted to send a big thank you for all your support. Without your support, none of this would be possible. Jane Schubert and those who helped should face the law!"
- c) "Let's not forget who helped Jane Schubert get away with her disgusting behavior. Karen Green covered up allegations for students and victims who came forward. PD will look into her."
- d) "Jane Schubert your victims will finally rest easy when you finally face consequences for your actions."

26. The Fourth YouTube Video was posted on YouTube on February 7, 2024. The Fourth YouTube Video remains active and accessible on YouTube as of the filing of this Amended Complaint.

27. As of the filing of this Amended Complaint, the Fourth YouTube Video has more than 135 views. The Fourth YouTube Video has been viewed by multiple individuals within Muhlenberg including the President, Vice President for College Life, Vice President for Communications and Marketing along with others.

28. The First YouTube Video, the Second YouTube Video, the Third YouTube Video, and the Fourth YouTube Video are collectively referred to hereto as the "YouTube Videos".

29. The First YouTube Video and the Second YouTube Video contained certain factual written statements about Muhlenberg – again superimposed over the video of Ms. Schubert – including, but not limited to "Muhlenberg bushed [sic] it under the rug. EVEN though many

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students came forward with credible allegations.” In addition, the Fourth YouTube Video included the statement “Why did Muhlenberg demote her?” (the “Muhlenberg Statements”).

30. The YouTube Videos include the account name “Muhlenberg News,” Muhlenberg’s trademarked “M” logo and video where Ms. Schubert is wearing Muhlenberg attire and positioned in front of a Muhlenberg banner.

31. On October 10, 2023, the Plaintiffs filed the original Complaint in this matter.

32. At that time, the parties responsible for creating and posting the YouTube Videos were unknown and, thus, the Defendants were identified as “John Doe” and “John Doe 2”.

33. On October 12, 2023, the Plaintiffs filed a Petition for Leave of Court for the Issuance of Out-of-State Subpoenas for the Production of Documents and Things.

34. By an Order dated November 22, 2023, this Court granted Plaintiffs permission to issue and serve out-of-state subpoenas for the production of documents and things upon YouTube, LLC and Google, LLC. See the Order attached hereto as Exhibit E.

35. YouTube, LLC and Google LLC then responded to the subpoenas.

36. Utilizing the information provided by YouTube, LLC and Google, LLC the Plaintiffs continued its investigation into who was responsible for creating and publishing the YouTube Videos.

37. Based on this investigation, the Plaintiffs aver, upon information and belief, that Defendant Alexander Isinhue is the individual responsible for creating and posting the defamatory and unlawful YouTube Videos as set forth more fully below.



**COUNT I – DEFAMATION**

(Plaintiff Jane Schubert v. Defendant Isinhue)

38. Plaintiff Jane Schubert incorporates Paragraphs 1 through 37 of this Amended Complaint as though set forth herein at length.

39. A statement is defamatory when the statement presents untrue facts tending to harm the reputation of another as to lower him, her or it in the estimation of the community or to deter third persons from associating or dealing with him, her or it. Bakare v. Pinnacle Health Hospitals, Inc., 469 F.Supp.2d 272 (M.D. Pa. 2006). Moreover, a statement is deemed to be defamatory if it tends to blacken a person's reputation or expose the person to public hatred, contempt, or ridicule, or injure the person in the person's business or profession. Mzamane v. Winfrey, 693 F. Supp. 2d 442, 257 Ed. Law Rep. 296 (E.D. Pa. 2010); Agriss v. Roadway Exp., Inc., 334 Pa. Super. 295, 483 A.2d 456 (1984).

40. Defamation per se exists when statements impute (i) a criminal offense, (ii) a loathsome disease, (iii) business misconduct, or (iv) serious sexual misconduct. Cornell Companies, Inc. v. Borough of New Morgan, 512 F. Supp.2d 238 (E.D. Pa. 2007); Synvgy, Inc. v. Scott-Levin, Inc., 51 F. Supp.2d 570 (E.D. Pa. 1999), *judgment aff'd*, 229 F.3d 1139 (3d Cir. 2000).

41. Each of the statements regarding Ms. Schubert referred to in paragraphs 13, 17, 21, and 25 above (collectively the "Schubert Statements") are false and defamatory in that (i) they lower Ms. Schubert in the estimation of the community; (ii) they deter third persons from associating or dealing with Ms. Schubert; (iii) they tend to blacken Ms. Schubert's reputation and/or expose Ms. Schubert to public hatred, contempt, or ridicule and/or injure Ms. Schubert in

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her business or profession; and/or (iv) they impute criminal offenses, business misconduct, or serious sexual misconduct on the part of Ms. Schubert.

42. Defendant Isinhue published and circulated the Schubert Statements through the YouTube Videos that he posted on YouTube. The YouTube Videos collectively have been viewed to date more than 968 times.

43. The Schubert Statements undeniably pertain and clearly apply to Ms. Schubert.

44. Each individual viewing the YouTube Videos containing the Schubert Statements understands the defamatory meaning of each of the Schubert Statements and that they are intended to apply to Ms. Schubert.

45. Ms. Schubert has incurred special harm and damages as a result of the publication of the Schubert Statements including, but not limited to, harm to her reputation and standing in the community, personal humiliation, as well as mental anguish and distress.

46. Defendant Isinhue published the Schubert Statements with malice, intent and with knowledge of the falsity and defamatory character of each of the Schubert Statements.

47. Defendant Isinhue's actions were characterized by an extreme level of recklessness, malice and willful disregard for the consequences. His conduct was outrageous, wanton, and oppressive, displaying a clear intention to cause harm and a complete derogation of rights entitling Ms. Schubert to an award of punitive damages.

48. Defendant Isinhue does not have any privilege that would permit the publication of the Schubert Statements.

49. In the alternative, if Defendant Isinhue does have a privilege that would permit the publication of the Schubert Statements, such privilege has been abused by Defendant Isinhue.

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WHEREFORE, Plaintiff Jane Schubert requests that judgment be entered against Defendant Isinhue in an amount in excess of \$50,000.00 plus punitive damages, attorneys' fees and costs of suit and all other damages and relief deemed justified by this Honorable Court.

**COUNT II – DEFAMATION**

(Plaintiff Muhlenberg College v. Defendant Isinhue)

50. Plaintiff Muhlenberg College incorporates Paragraphs 1 through 49 of this Amended Complaint as though set forth herein at length.

51. Given that the Schubert Statements were, in part, directed to Ms. Schubert's employment and position at the College, the Schubert Statements, along with the Muhlenberg Statements give rise to the instant cause of action by the College against the Defendant Isinhue.

52. Both the Muhlenberg Statements and the Schubert Statements are false and defamatory in that (i) they lower the College in the estimation of the community; (ii) they deter third persons from associating or dealing with the College; (iii) they tend to blacken the College's reputation and/or expose the College to public hatred, contempt, or ridicule; and/or (iv) they impute business misconduct on the part of the College.

53. Defendant Isinhue published and circulated the Muhlenberg Statements and the Schubert Statements through the YouTube Videos that he posted on YouTube. The YouTube Videos have been viewed to date more than 968 times.

54. The Muhlenberg Statements and the Schubert Statements undeniably pertain and clearly apply to the College and to Ms. Schubert in her capacity as an employee of the College.

55. Each individual viewing the YouTube Videos containing the Muhlenberg Statements and the Schubert Statements understands the defamatory meaning of each of the



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Statements and that they are intended to apply to the College and to Ms. Schubert in her capacity as an employee of the College.

56. Muhlenberg has incurred special harm and damages as a result of the publication of the Muhlenberg Statements and the Schubert Statements including, but not limited to, harm to its reputation and standing in the community.

57. Defendant Isinhue published the Muhlenberg Statements and the Schubert Statements with malice, intent and with knowledge of the falsity and defamatory character of each of the Statements.

58. Defendant Isinhue's actions were characterized by an extreme level of recklessness, malice and willful disregard for the consequences. His conduct was outrageous, wanton, and oppressive, displaying a clear intention to cause harm and a complete derogation of rights entitling Muhlenberg to an award of punitive damages.

59. Defendant Isinhue does not have any privilege that would permit the publication of the Muhlenberg Statements or the Schubert Statements.

60. In the alternative, if Defendant Isinhue does have a privilege that would permit the publication of the Muhlenberg Statements or the Schubert Statements, such privilege has been abused by Defendant Isinhue.

WHEREFORE, Plaintiff Muhlenberg College requests that judgment be entered against Defendant Isinhue in an amount in excess of \$50,000.00 plus punitive damages, attorneys' fees and costs of suit and all other damages and relief deemed justified by this Honorable Court.

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**COUNT III – INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

(Plaintiff Jane Schubert v. Defendant Isinhue)

61. Plaintiff Jane Schubert incorporates Paragraphs 1 through 60 of this Amended Complaint as though set forth herein at length.

62. In accordance with Pennsylvania law, which adheres to the principles outlined in the Restatement (Second) of Torts, §46, the tort of intentional infliction of emotional distress occurs where a person, whose acts constitute extreme or outrageous conduct, intentionally inflicts severe emotional distress on another person. Hunger v. Grand Central Sanitation, 447 Pa.Super. 575, 583–584, 670 A.2d 173, 177 (1996). Conduct is considered “extreme or outrageous” where the conduct goes “beyond all possible bounds of decency, and [is] regarded as atrocious, and utterly intolerable in a civilized community.” Hunger, 447 Pa.Super. at 584, 670 A.2d at 177 (quoting Restatement (Second) of Torts, § 46 comment (d)).

63. The intentional creation and posting of the YouTube Videos on YouTube by Defendant Isinhue, featuring false, defamatory and damaging statements about Ms. Schubert, amounts to conduct that is not only extreme and outrageous but also egregiously beyond the standards of decency and civility expected in a civilized community.

64. As a direct consequence of Defendant Isinhue’s extreme, reckless, malicious and outrageous conduct, Ms. Schubert endured significant emotional distress, experiencing mental anguish, fear, anxiety, stress, anger, headaches, humiliation, and embarrassment.

WHEREFORE, Plaintiff Jane Schubert requests that judgment be entered against Defendant Isinhue in an amount in excess of \$50,000.00 plus punitive damages, attorneys’ fees and costs of suit and all other damages and relief deemed justified by this Honorable Court.

**COUNT IV – TRADEMARK INFRINGEMENT**

(Plaintiff Muhlenberg College v. Defendant Isinhue)

65. Plaintiff Muhlenberg College incorporates Paragraphs 1 through 64 of this Amended Complaint as though set forth herein at length.

66. Trademark law, including the Lanham Act, protects a trademark owner's exclusive right to use their trademark. To establish trademark infringement for a registered mark under 15 U.S.C. §1114, a plaintiff must demonstrate three essential elements: (1) the possession of a valid and legally defensible mark; (2) rightful ownership of the mark; and (3) the defendant's use of the mark in identifying goods or services results in a likelihood of confusion. *See A&H Sportswear, Inc. v. Victoria's Secret Stores, Inc.*, 237 F.3d 198 (3rd Cir. 2000), *ComponentOne, L.L.C. v. Component Art, Inc.*, 2008 WL 4790661, at \*5 (W.D. Pa. Oct. 27, 2008) (citing *First Am. Mktg. Corp. v. Canella*, 2004 WL 250537, at \*2 (E.D. Pa. Jan. 26, 2004)).

67. Muhlenberg holds several trademarks registered with the United States Patent and Trademark Office, as evidenced in Exhibit F attached hereto.

68. The protected trademarks owned by Muhlenberg were prominently featured in the YouTube Videos created and posted by Defendant Isinhue starting on September 18, 2023 and they all remain active and accessible on YouTube as of the filing of this Amended Complaint.

69. The use of the "M" logo, "Muhlenberg" and the URL, which subsequently directs to other Muhlenberg-endorsed videos, has the potential to create confusion among consumers regarding the Muhlenberg trademark.

70. Pursuant to 15 U.S.C. §1117, when infringement is demonstrated to have occurred, the Court may exercise its discretion to award enhanced remedies, which could include up to three times the damages and profits, along with reasonable attorney fees.




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WHEREFORE, Plaintiff Muhlenberg College requests that judgment be entered against Defendant Isinhue in an amount in excess of \$50,000.00 plus injunctive relief, treble damages, punitive damages, attorneys' fees and costs of suit and all other damages and relief deemed justified by this Honorable Court.

Respectfully submitted,

DAVISON & McCARTHY, P.C.

By:   
Dennis M. McCarthy, Esquire  
PA ID #73320  
645 Hamilton St., Suite 510  
Allentown, PA 18101  
610.435.0450

Attorney for Plaintiffs  
Jane Schubert and Muhlenberg College

Date: June 5, 2024

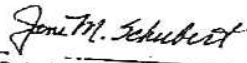
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VERIFICATION

I, Jane Schubert, do hereby verify that the statements made in the attached Amended Complaint are true and correct to the best of my knowledge, information and belief. I understand that any false statements made herein are subject to the penalties of 18 Pa. C.S.A. § 4904, relating to unsworn falsification to authorities.

Dated: June 3, 2024

  
\_\_\_\_\_  
Jane Schubert

373958



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IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA  
CIVIL DIVISION

JANE SCHUBERT and  
MUHLENBERG COLLEGE,

Plaintiffs

v.

ALEXANDER ISINHUE,

Defendant

NO: 2023-C-2820

JURY TRIAL DEMANDED

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Respectfully Submitted  
DAVISON & McCARTHY, P.C.

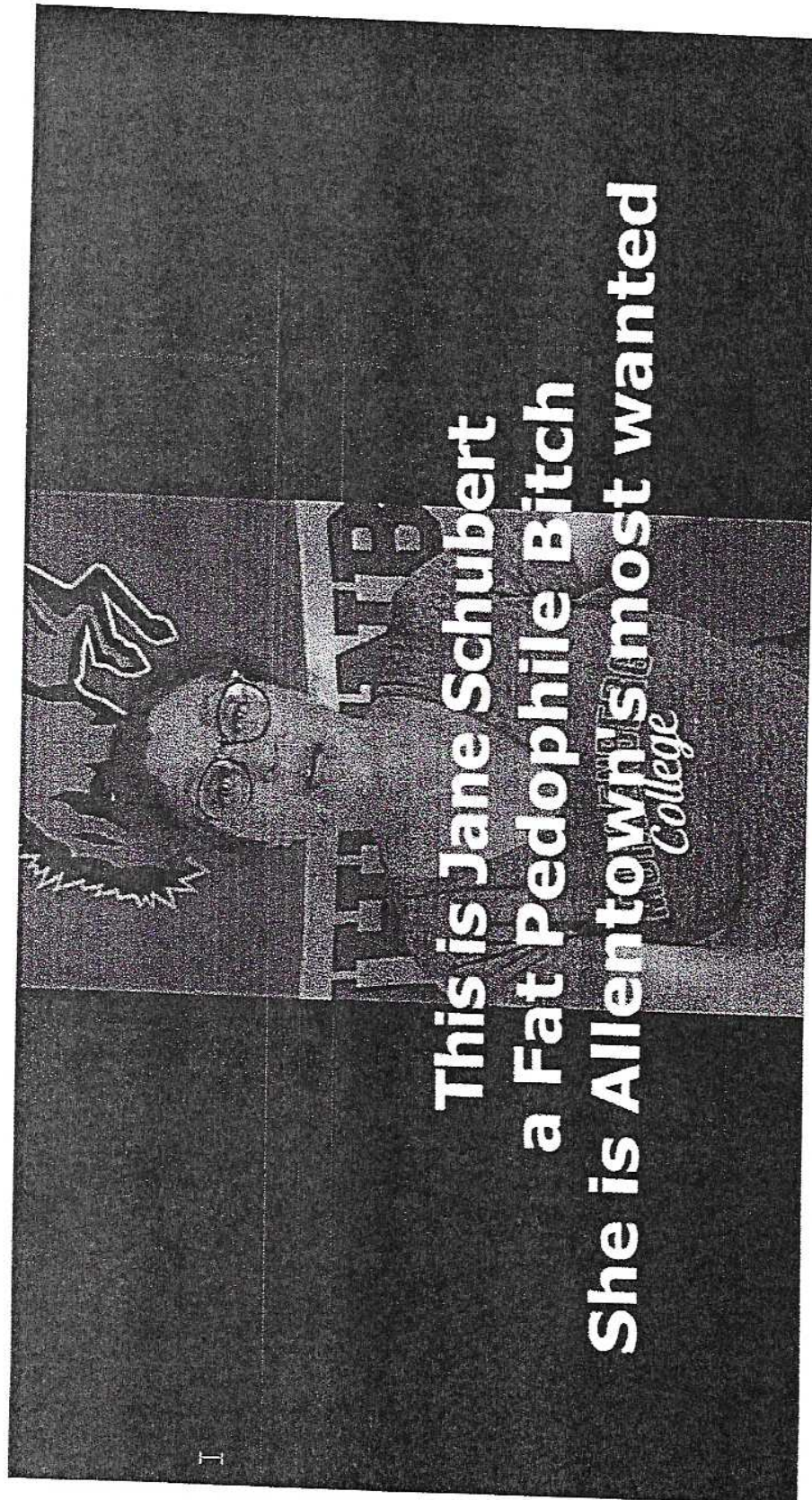
By:   
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## EXHIBIT "A"

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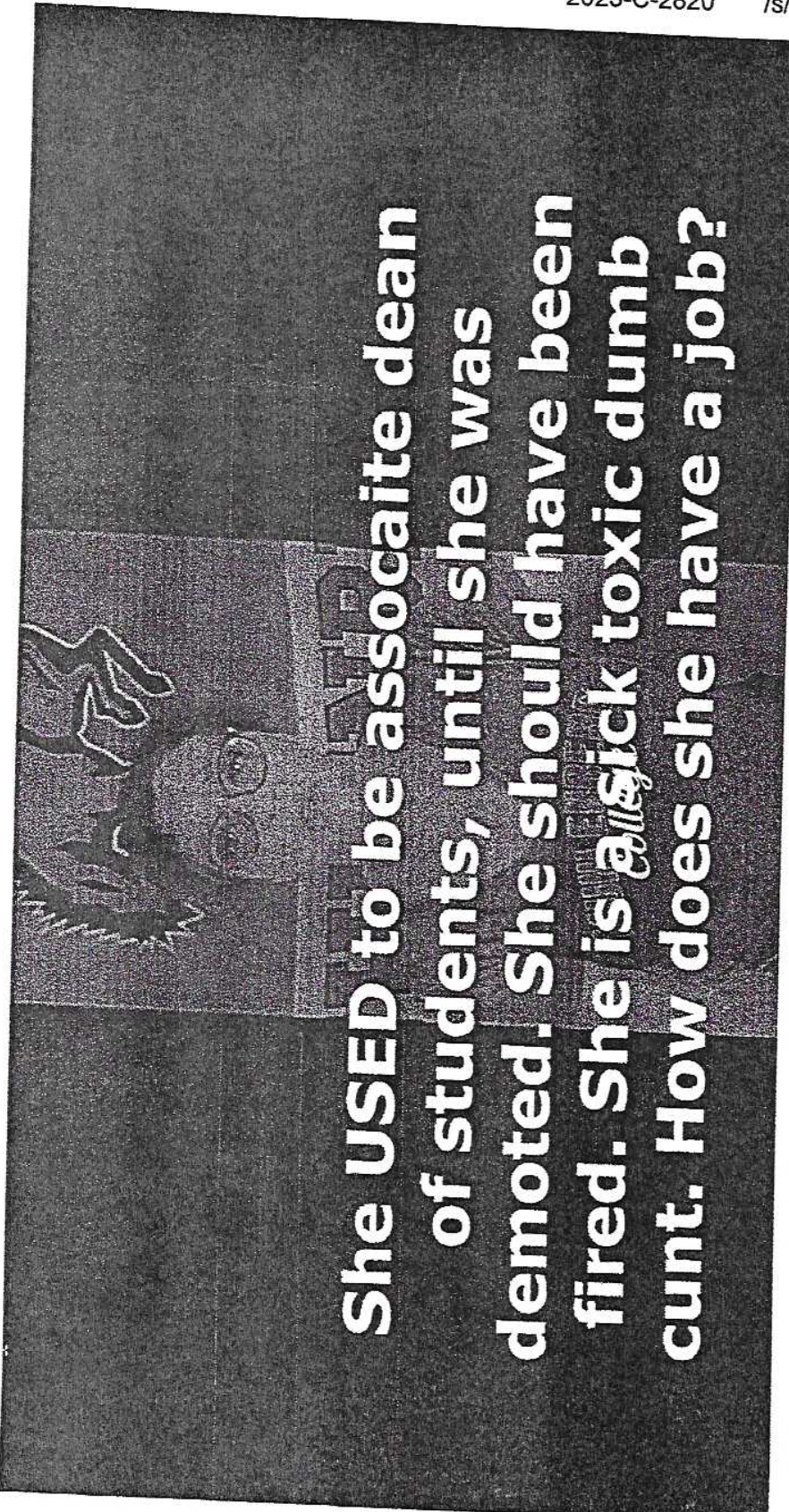
VIDEO 1





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VIDEO 1

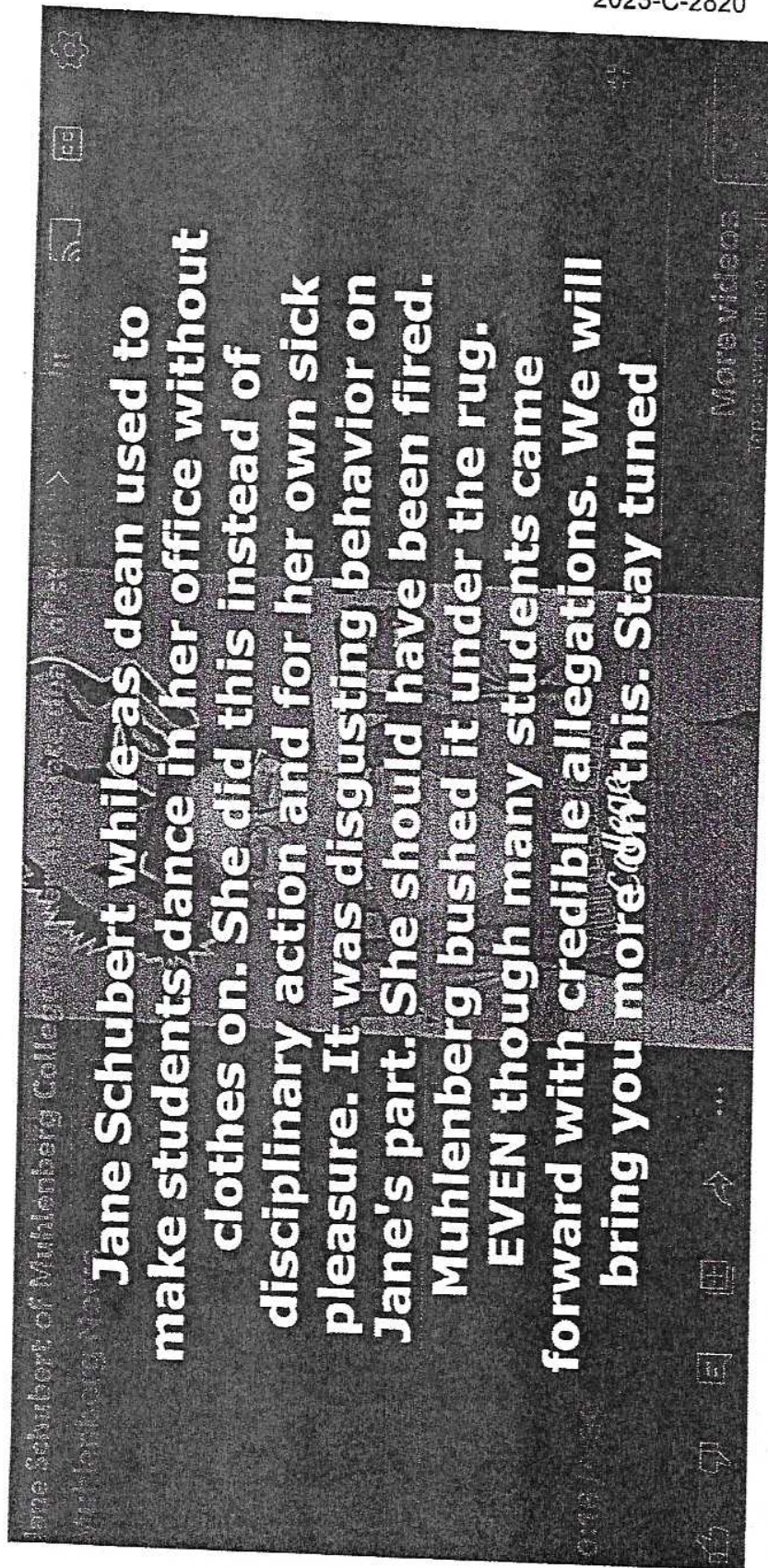


**She USED to be associaite dean  
of students, until she was  
demoted. She should have been  
fired. She is ~~a~~sick toxic dumb  
cunt. How does she have a job?**



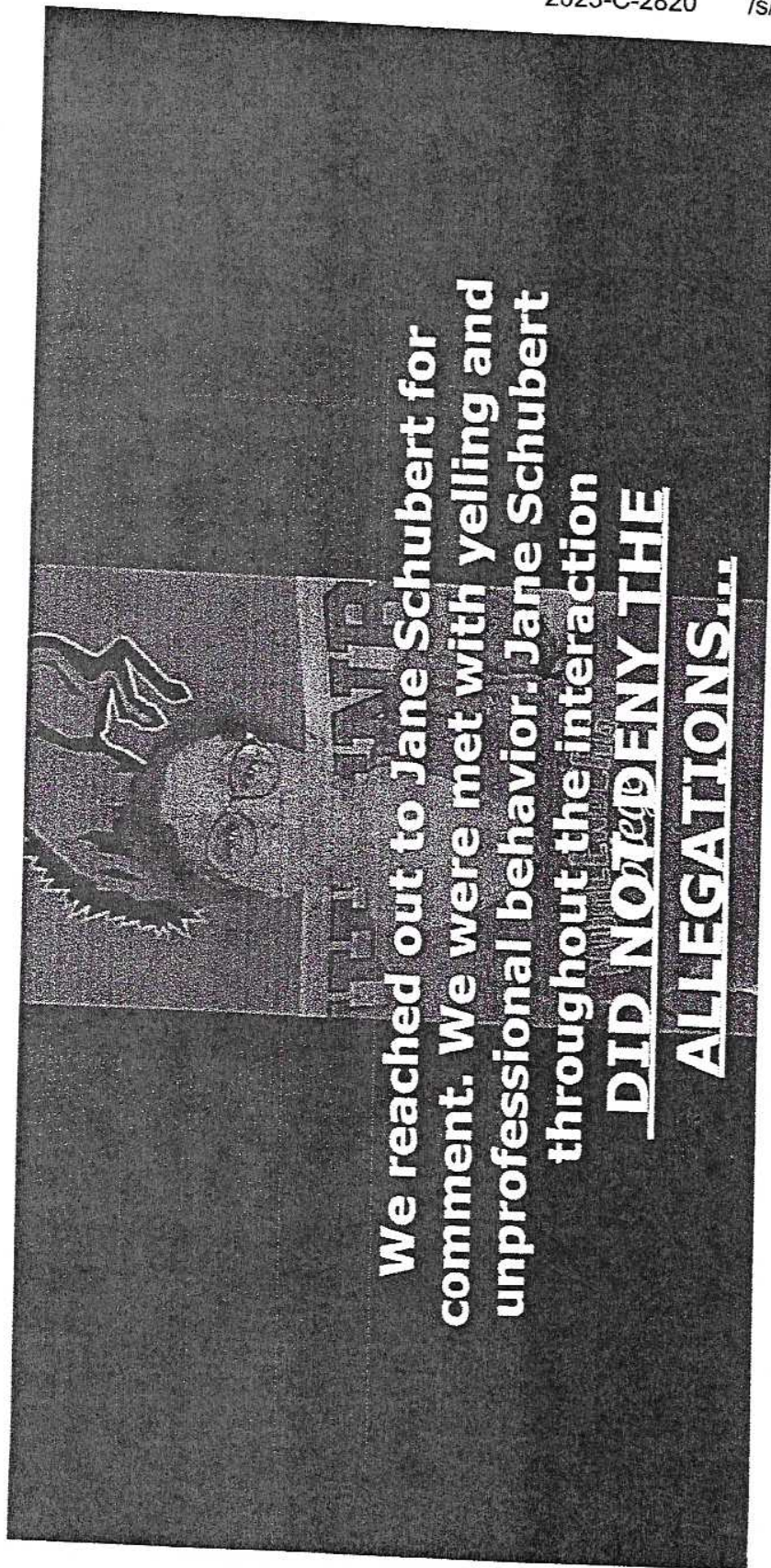
FILED 6/5/2024 9:36 AM, Clerk of Judicial Records, Civil Division, Lehigh County, PA  
2023-C-2820 /s/KF

VIDEO 1





VIDEO 1





VIDEO 1

**This video constitutes a transformative and satirical work protected under the principles of fair use in copyright law. The content of this video has been created with the intention of parodying, commenting upon, and critiquing existing media, cultural, and social elements.**

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## EXHIBIT "B"



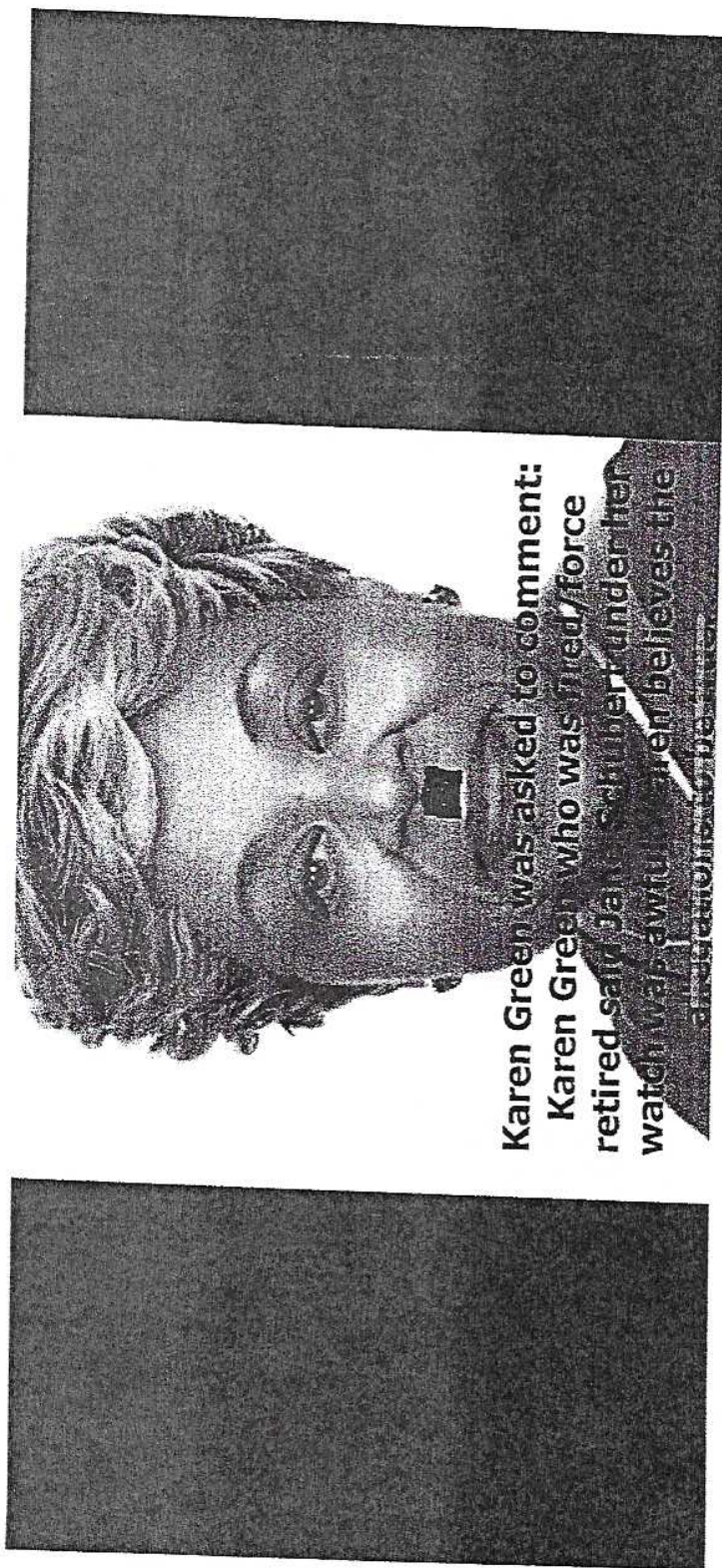
VIDEO 2

**This video constitutes a transformative and satirical work protected under the principles of fair use in copyright law. The content of this video has been created with the intention of parodying, commenting upon, and critiquing existing media, cultural, and social elements.**



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VIDEO 2





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VIDEO 2





VIDEO 2

In case you missed out last video: Jane Schubert while as dean used to make students dance in her office without clothes on. She did this instead of disciplinary action and for her own sick pleasure. It was disgusting behavior on Jane's part. She should have been fired. Muhlenberg bushed it under the rug.

EVEN though many students came forward with credible allegations. We will bring you more on this. Stay tuned

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## EXHIBIT "C"



VIDEO 3

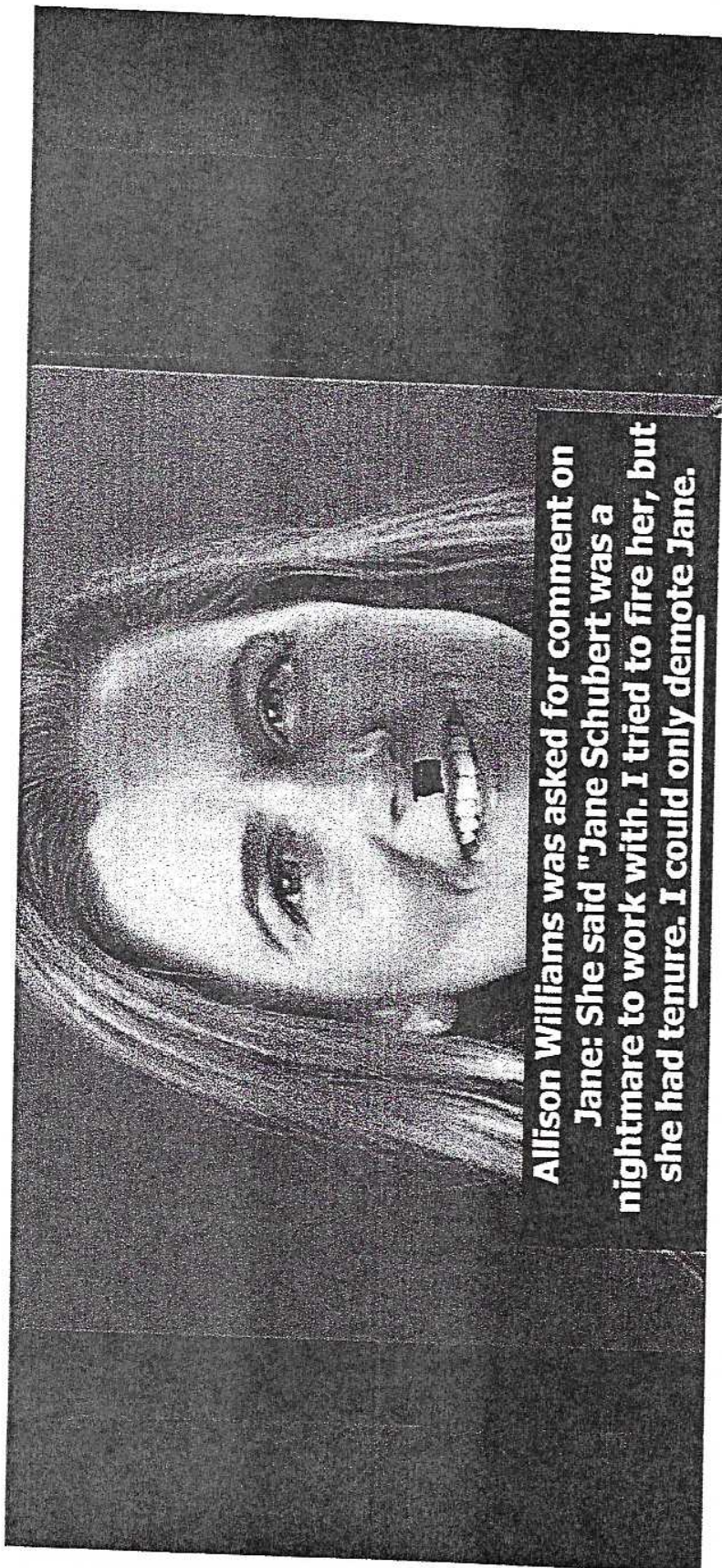
**This video constitutes a transformative and satirical work protected under the principles of fair use in copyright law. The content of this video has been created with the intention of parodying, commenting upon, and critiquing existing media, cultural, and social elements.**

WILHELMINE  
College



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VIDEO 3





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2023-C-2820 /s/KF

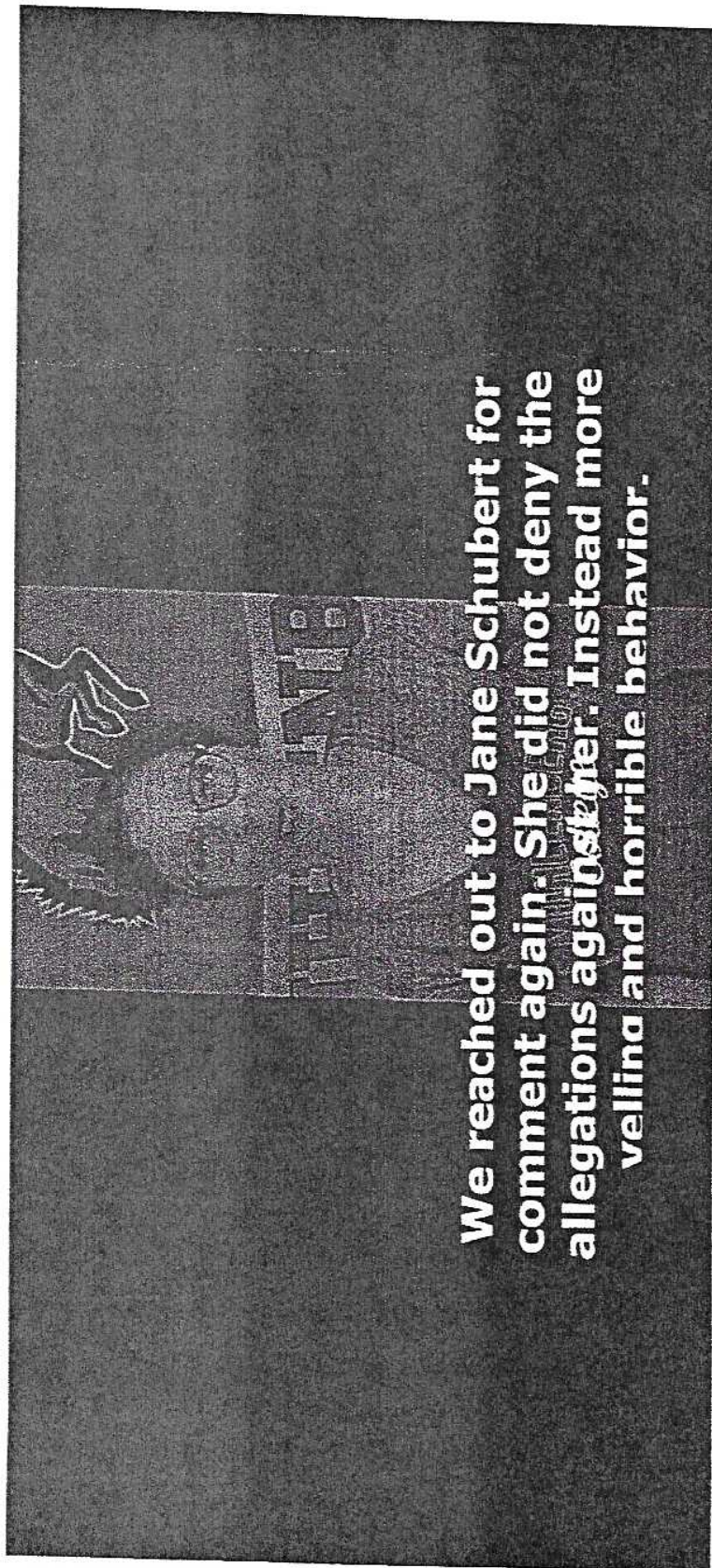
VIDEO 3





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2023-C-2820 /s/KF

VIDEO 3



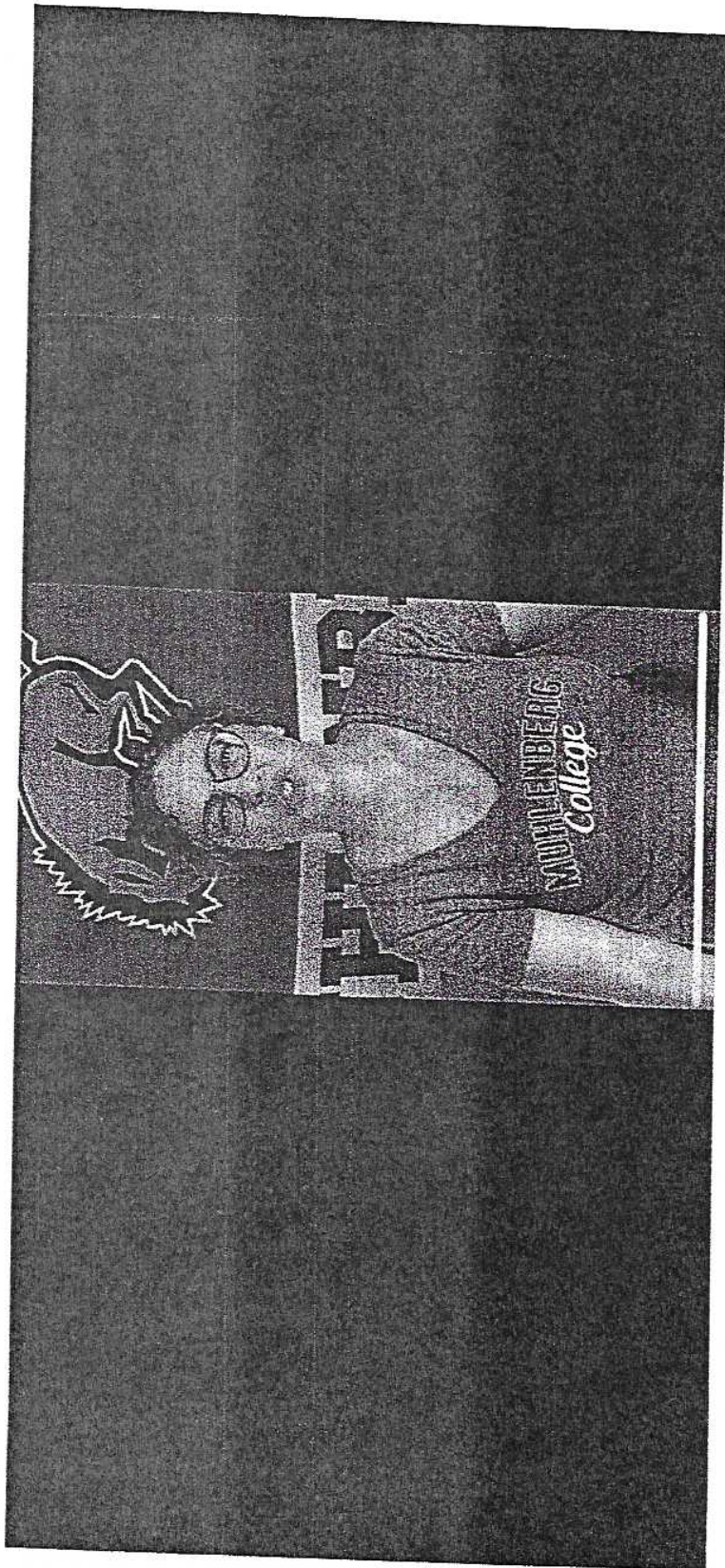
**We reached out to Jane Schubert for  
comment again. She did not deny the  
allegations against her. Instead more  
velling and horrible behavior.**

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2023-C-2820 /s/KF

## EXHIBIT "D"



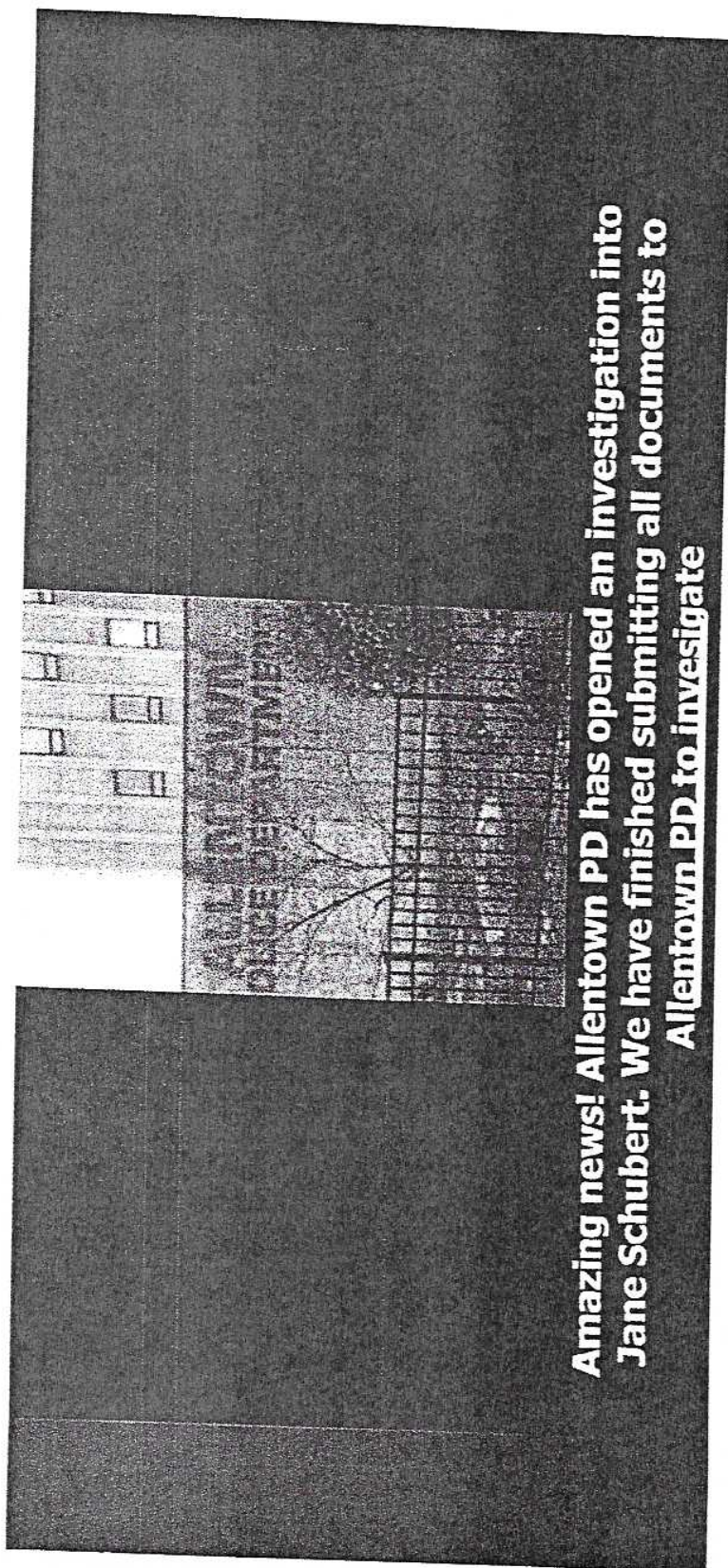
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2023-C-2820 /s/KF





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2023-C-2820 /s/KF

VIDEO 4





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2023-C-2820 /s/KF

VIDEO 4

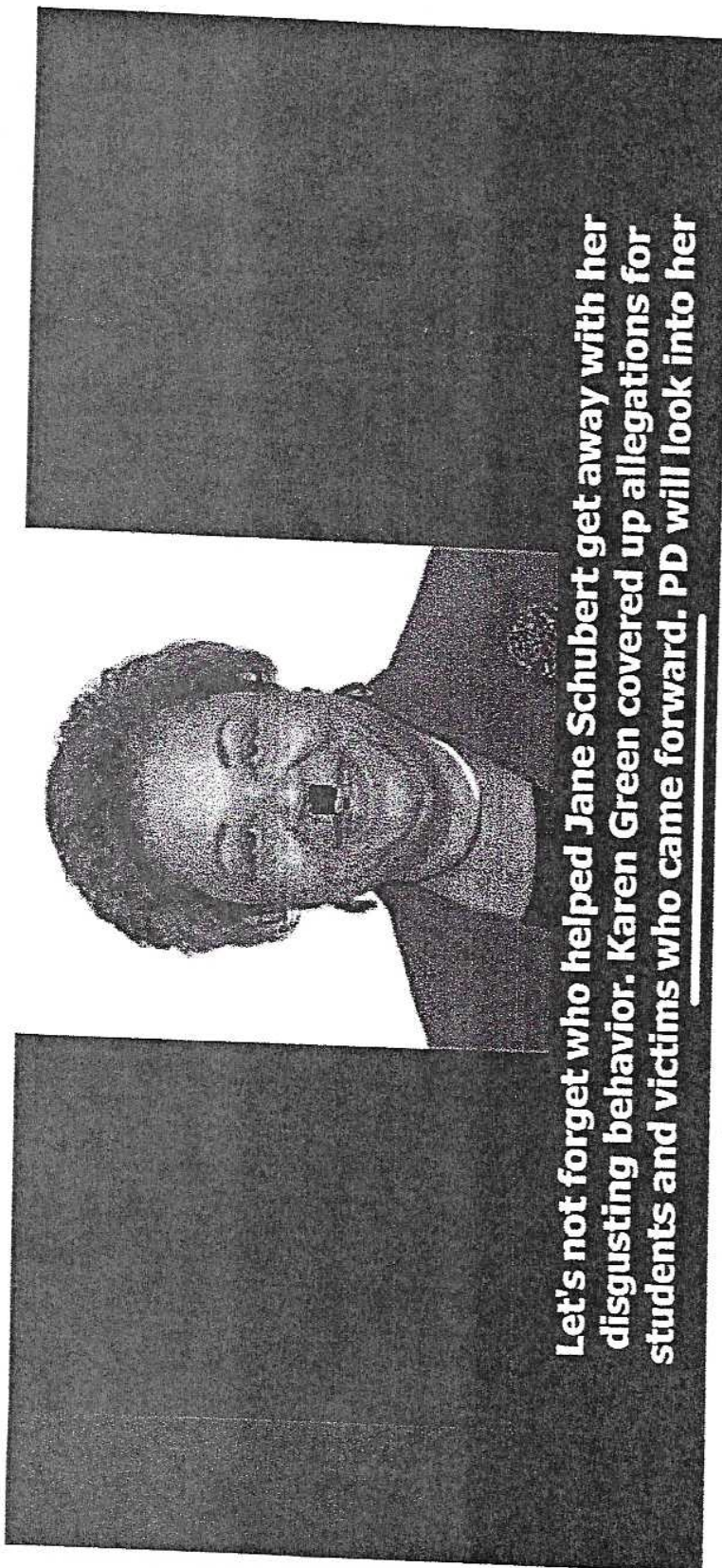


**We wanted to send a big thank you for all your support. Without your support, none of this would be possible. Jane Schubert and those who helped should face the law!**



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2023-C-2820 /s/KF

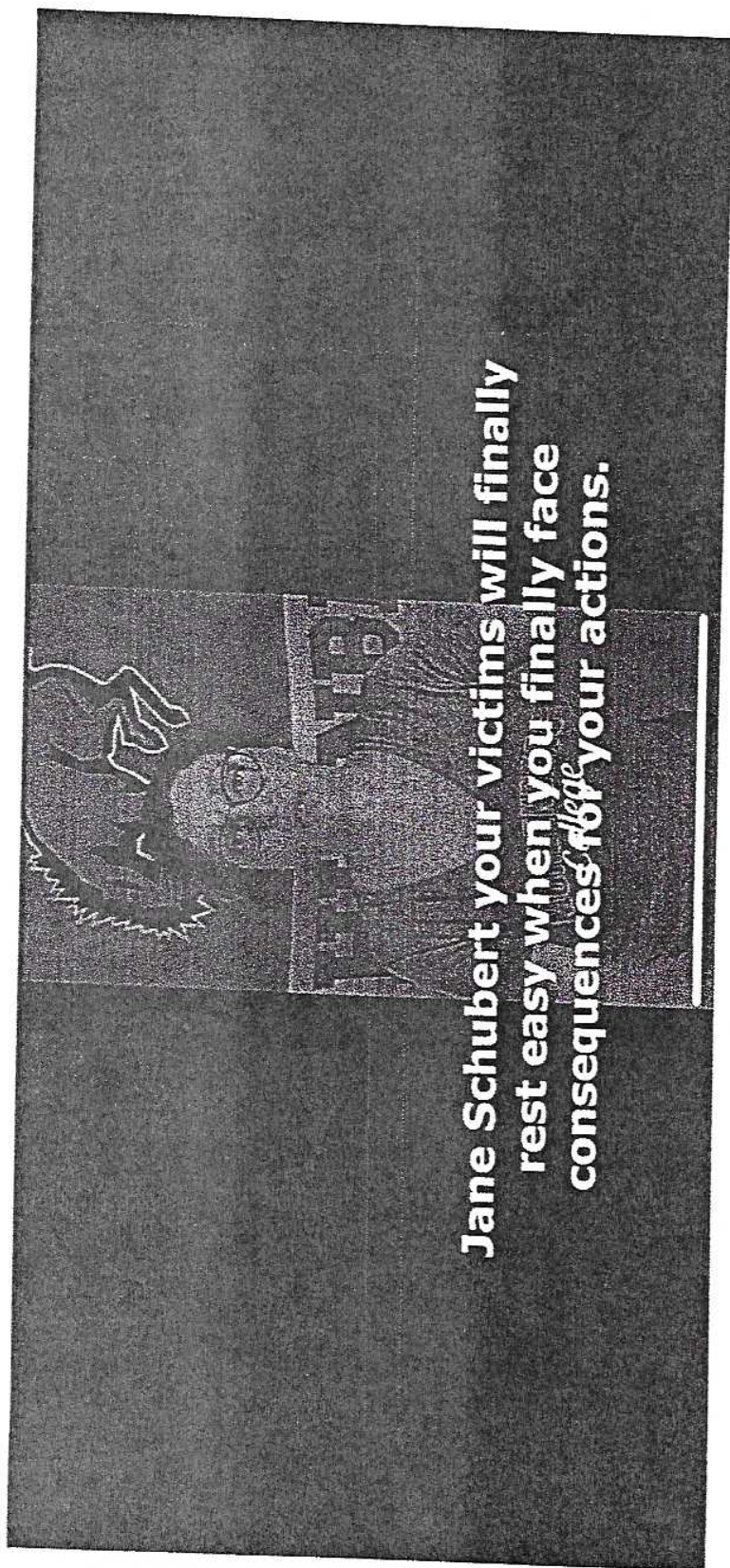
VIDEO 4



**Let's not forget who helped Jane Schubert get away with her disgusting behavior. Karen Green covered up allegations for students and victims who came forward. PD will look into her**

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2023-C-2820 /s/KF

VIDEO 4



**Jane Schubert your victims will finally  
rest easy when you finally face  
consequences <sup>for</sup> your actions.**

368289



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2023-C-2820 /s/KF

## EXHIBIT "E"



FILED 6/5/2024 9:36 AM, Clerk of Judicial Records, Civil Division, Lehigh County, PA  
FILED 11/22/2023 10:28 AM, Clerk of Judicial Records, Civil Division, Lehigh County, PA  
2023-C-2820 /s/JW

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA  
CIVIL DIVISION

JANE SCHUBERT and  
MUHLENBERG COLLEGE,  
Petitioners

v.

JOHN DOE and JOHN DOE 2,  
Respondents

NO: 2023-C-2820

JURY TRIAL DEMANDED

ORDER

AND NOW THIS 22<sup>nd</sup> day of November, 2023, upon consideration of the  
Petitioners' Petition for Leave of Court for Issuance of Out-Of-State Subpoenas for the  
Production of Documents and Things, it is hereby ORDERED that the Petition is GRANTED  
and the issuance and service of out-of-state subpoenas for production of documents and things on  
YouTube, LLC and its parent company Google, LLC in connection with this action is hereby  
authorized pursuant to Pa.R.C.P. 2005(f).

BY THE COURT



J.

FILED 6/5/2024 9:36 AM, Clerk of Judicial Records, Civil Division, Lehigh County, PA  
2023-C-2820 /s/KF

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA  
CIVIL COURT DIVISION

File No.: 2023-C-2820

Tort Slander - Libel - Defamation

Jane Schubert, Muhlenberg College  
- VS -

John Doe, John Doe 2

Copies of this Order were e-mailed/mailed to all counsel of record and pro se litigants on  
11/22/2023.

236 NOTICE

Pursuant to Pa.R.C.P. § 236, notice is hereby given that an order, decree, or judgment in  
the above captioned matter has been entered.

Michelle Graupner  
Clerk of Judicial Records

**NOTICE:** All parties and counsel must maintain correct and current contact information,  
INCLUDING E-MAIL ADDRESSES, with the Clerk of Judicial Records Civil Division as  
well as through E-File & Serve.

~~John Doe~~  
~~John Doe 2~~

Dennis M McCarthy, Esq

✓ dmccarthy@davisonmccarthy.  
com

~~No Known Address~~  
~~No Known Address~~  
~~Davison & McCarthy PC~~  
~~Two City Center Suite 510~~  
~~645 Hamilton St~~  
~~Allentown PA 18101~~





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2023-C-2820 /s/KF

## EXHIBIT "F"

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2023-C-2820 /s/KF

Generated on: This page was generated by TSDR on 2023-08-07 11:03:55 EDT  
Mark: M

US Serial Number: 86781598

US Registration Number: 5172376

Filed as TEAS RF: Yes

Registrar: Principal

Mark Type: Trademark, Service Mark

TMS Common Status Descriptor:



Application Filing Date: Oct. 08, 2015

Registration Date: Mar. 28, 2017

Currently TEAS RF: Yes

LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.  
Status Date: Jul. 21, 2023

Publication Date: May 17, 2016 Notice of Allowance Date: Jul. 12, 2016

### Mark Information

Mark Literal M  
Elements:

Standard Character No  
Claims:

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) / LETTER(S) / NUMBER(S) IN STYLIZED FORM

Description of Mark: The mark consists of the letter "M" in script style.

Color(s) Claimed: Color is not claimed as a feature of the mark.

### Related Properties Information

Claimed Ownership of US Registrations: 3253145, 3593112

### Goods and Services

**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:  
• Brackets [...] indicate deleted goods/services;  
• Double parenthesis (...) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and  
• Asterisks \*...\* identify additional (new) wording in the goods/services.

For: Metal rings and chains for keys

International Class(es): 006 - Primary Class

Class Status: ACTIVE

Basic: 1(a)

First Use: Sep. 15, 2015

U.S. Class(es): 002, 012, 013, 014, 023, 025, 050

Use In Commerce: Sep. 15, 2015

For: Printed publications, namely, booklets, notebooks, paper note tablets pamphlets, leaflets and bulletins all relating to news about

*M*



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2023-C-2820 /s/KF

college faculty, students and activities on campus; pens, letter openers, note pad holders, agendas, date books, day planners,  
notebooks, stationery, bumper stickers, stickers and decals

International Class(es): 016 - Primary Class

U.S. Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 15, 2015

For: Clothing, namely, polo shirts, tee shirts, sweatshirts, jackets, pants, baseball caps, bandanas, socks, knit caps, men's ties and flip-flops

Use In Commerce: Sep. 15, 2015

International Class(es): 025 - Primary Class

U.S. Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 15, 2015

For: Educational services, namely, providing college level undergraduate courses of instruction, distributing course materials in connection therewith, and granting bachelor's degrees thereof; educational and training services, namely, conducting classes, seminars, lectures, and workshops at the college level for liberal arts; entertainment services in the nature of live music concerts, live stage performances in the nature of plays, and collegiate athletic events; training in the fields of baseball, football, basketball, tennis, cross-country, field hockey, soccer, volleyball, track and field, wrestling, cheerleading, golf, lacrosse, and softball; production of taped radio programs; and providing facilities for recreational activities, for educational conventions, movies, shows and plays

Use In Commerce: Sep. 15, 2015

International Class(es): 041 - Primary Class

U.S. Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 15, 2015

Use In Commerce: Sep. 15, 2015

### Basis Information (Case Level)

Filed Use: No

Filed ITU: Yes

Filed 44D: No

Filed 44E: No

Filed 46A: No

Filed No Basis: No

Currently Use: Yes

Currently ITU: No

Currently 44E: No

Currently 46A: No

Currently No Basis: No

### Current Owner(s) Information

Owner Name: MUHLENBERG COLLEGE

Owner Address: 2400 Chew Street

Allentown, PENNSYLVANIA UNITED STATES 18104

Legal Entity Type: CORPORATION

State or Country: PENNSYLVANIA  
Where Organized:

### Attorney/Correspondence Information

Attorney Name: Christiana Campbell

Attorney Primary Email Address: [ccampbell@duanemorris.com](mailto:ccampbell@duanemorris.com)

Attorney of Record

Docket Number: L0943-00101

Attorney Email Yes  
Authorized:

Correspondent

Correspondent Name/Address: Christiana Campbell

DUANE MORRIS LLP  
30 SOUTH 17TH STREET

PHILADELPHIA, PENNSYLVANIA UNITED STATES 19103-4135

Phone: 215-979-1817

Correspondent e-mail: [ccampbell@duanemorris.com](mailto:ccampbell@duanemorris.com) [ldockaling@duane-morris.com](mailto:ldockaling@duane-morris.com)  
[monte.com.morazada@duanemorris.com](mailto:monte.com.morazada@duanemorris.com)

Fax: 215-683-4910

Correspondent e-mail Authorized:

Domestic Representative - Not Found

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2023-C-2820 /s/KF

### Prosecution History

Date	Description	Proceeding Number
Jul. 21, 2023	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jul. 21, 2023	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 17, 2023	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Mar. 10, 2023	OFFICE ACTION ISSUED POU1	
Mar. 10, 2023	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	81878
Feb. 14, 2023	TEAS SECTION 8 & 15 RECEIVED	
Mar. 28, 2022	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	81878
Mar. 28, 2017	REGISTERED-PRINCIPAL REGISTER	81878
Feb. 22, 2017	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Feb. 21, 2017	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 31, 2017	STATEMENT OF USE PROCESSING COMPLETE	
Jan. 12, 2017	USE AMENDMENT FILED	
Jan. 31, 2017	CASE ASSIGNED TO INTENT TO USE PARALEGAL	
Jan. 12, 2017	TEAS STATEMENT OF USE RECEIVED	74055
Jul. 12, 2016	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	74055
May 17, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	74055
May 17, 2016	PUBLISHED FOR OPPOSITION	
Apr. 27, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 12, 2016	LAW OFFICE PUBLICATION REVIEW COMPLETED	
Apr. 09, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 21, 2016	TEAS/EMAIL CORRESPONDENCE ENTERED	
Mar. 21, 2016	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171
Mar. 14, 2016	ASSIGNED TO LIE	
Mar. 01, 2016	TEAS RESPONSE TO OFFICE ACTION RECEIVED	68171
Jan. 28, 2016	NOTIFICATION OF NON-FINAL ACTION E-MAILED	68171
Jan. 28, 2016	NON-FINAL ACTION E-MAILED	68171
Jan. 28, 2016	NON-FINAL ACTION WRITTEN	
Jan. 21, 2016	ASSIGNED TO EXAMINER	6325
Oct. 15, 2015	NOTICE OF PSEUDO MARK E-MAILED	6325
Oct. 14, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	72152
Oct. 12, 2015	NEW APPLICATION ENTERED	72152

### TM Staff and Location Information

Current Location: TMO LAW OFFICE 114

TM Staff Information - None

File Location

Date in Location: Jul. 21, 2023



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2023-C-2820 /s/KF

Generated on: This page was generated by TSDR on 2023-08-07 11:05:41 EDT  
Mark: M MUHLENBERG

  
Muhlenberg

US Serial Number: 88781877

US Registration Number: 5266615

Filed as TEAS RF: Yes

Registrar: Principal

Mark Type: Trademark, Service Mark

TMS Common Status Descriptor:



Application Filing Date: Oct. 08, 2015

Registration Date: Aug. 15, 2017

Currently TEAS RF: Yes

LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.  
Status Date: Aug. 15, 2017

Publication Date: May 17, 2016 Notice of Allowance Date: Jul. 12, 2016

### Mark Information

Mark Literal Elements: M MUHLENBERG

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) / LETTER(S) / NUMBER(S) IN STYLIZED FORM

Description of Mark: The mark consists of large script letter "M" followed by "Muhlenberg" under the letter "M".

Color(s) Claimed: Color is not claimed as a feature of the mark.

### Related Properties Information

Claimed Ownership of US Registrations: 2584598, 3378554, 3604421

### Goods and Services

**Note:**

- The following symbols indicate that the registrant/owner has amended the goods/services:
- Brackets [ ] indicate deleted goods/services;
  - Double parenthesis (( )) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
  - Asterisks "\*" identify additional (new) wording in the goods/services.

For: Metal rings and chains for keys

International Class(es): 008 - Primary Class

Class Status: ACTIVE

Basic: 1(a)

First Use: Sep. 15, 2015

U.S. Class(es): 002, 012, 013, 014, 023, 025, 050

Use in Commerce: Sep. 15, 2015

For: Printed publications, namely, booklets, notebooks, paper note tablets pamphlets, leaflets and bulletins all relating to news about

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college faculty, students and activities on campus; pens, letter openers, note pad holders, agendas, date books, day planners,  
notebooks, stationery, bumper stickers, stickers and decals

International 018 - Primary Class  
Class(es):

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 15, 2015

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

For: Clothing, namely, polo shirts, tee shirts, sweatshirts, jackets, pants, baseball caps, bandanas, socks, knit caps, men's ties and flip-flops

Use in Commerce: Sep. 15, 2015

International 025 - Primary Class  
Class(es):

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 15, 2015

U.S Class(es): 022, 039

For: Educational services, namely, providing college level undergraduate courses of instruction, distributing course materials in connection therewith, and granting bachelor's degrees thereof; educational and training services, namely, conducting classes, seminars, lectures, and workshops at the college level for liberal arts; entertainment services in the nature of live music concerts, live stage performances in the nature of plays, and collegiate athletic events; training in the fields of baseball, football, basketball, tennis, cross-country, field hockey, soccer, volleyball, track and field, wrestling, cheerleading, golf, lacrosse, and softball; production of taped radio programs; and providing facilities for recreational activities, for educational conventions, movies, shows and plays; religious instruction service

Use in Commerce: Sep. 15, 2015

International 041 - Primary Class  
Class(es):

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 15, 2015

U.S Class(es): 100, 101, 107

Use in Commerce: Sep. 15, 2015

### Basis Information (Case Level)

Filed Use: No  
Filed ITU: Yes  
Filed 44D: No  
Filed 44E: No  
Filed 66A: No  
Filed No Basis: No

Currently Use: Yes  
Currently ITU: No  
Currently 44E: No  
Currently 66A: No  
Currently No Basis: No

### Current Owner(s) Information

Owner Name: MUHLENBERG COLLEGE  
Owner Address: 2400 Chew Street  
Allentown, PENNSYLVANIA UNITED STATES 18104  
Legal Entity Type: CORPORATION

State or Country PENNSYLVANIA  
Where Organized:

### Attorney/Correspondence Information

Attorney Name: Maxim A. Voltchenko  
Attorney Primary Email Address: [Lipovid@duanemorris.com](mailto:Lipovid@duanemorris.com)

Attorney of Record  
Docket Number: L0843-00103  
Attorney Email Authorized: Yes  
Correspondent

Correspondent Name/Address: MAXIM A. VOLTCHENKO  
DUANE MORRIS LLP  
30 S 17TH ST FL 5  
PHILADELPHIA, PENNSYLVANIA UNITED STATES 19103-4196  
Phone: 215-979-1282/1823

Correspondent e-mail: [Lipovid@duanemorris.com](mailto:Lipovid@duanemorris.com) [Mavoltchenko@duane-morris.com](mailto:Mavoltchenko@duane-morris.com)

Fax: 215-979-1020

Correspondent e-mail Authorized:

Domestic Representative - Not Found



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2023-C-2820 /s/KF

### Prosecution History

Date	Description	Proceeding Number
Aug. 15, 2022	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Aug. 15, 2017	REGISTERED-PRINCIPAL REGISTER	
Jul. 13, 2017	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jul. 12, 2017	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 24, 2017	TEAS/EMAIL CORRESPONDENCE ENTERED	
Jun. 23, 2017	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 23, 2017	TEAS RESPONSE TO OFFICE ACTION RECEIVED	88889
Feb. 06, 2017	NOTIFICATION OF NON-FINAL ACTION E-MAILED	88889
Feb. 06, 2017	NON-FINAL ACTION E-MAILED	
Feb. 06, 2017	SU - NON-FINAL ACTION - WRITTEN	
Jan. 17, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jan. 16, 2017	STATEMENT OF USE PROCESSING COMPLETE	72152
Jan. 12, 2017	USE AMENDMENT FILED	
Jan. 16, 2017	SOU EXTENSION 1 GRANTED	69302
Jan. 12, 2017	SOU EXTENSION 1 FILED	69302
Jan. 16, 2017	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
Jan. 12, 2017	TEAS EXTENSION RECEIVED	69302
Jan. 12, 2017	TEAS STATEMENT OF USE RECEIVED	69302
Jul. 12, 2018	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 17, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 17, 2016	PUBLISHED FOR OPPOSITION	
Apr. 27, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 12, 2016	LAW OFFICE PUBLICATION REVIEW COMPLETED	
Apr. 09, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 21, 2016	TEAS/EMAIL CORRESPONDENCE ENTERED	68171
Mar. 21, 2016	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Mar. 14, 2018	ASSIGNED TO LIE	68171
Mar. 01, 2018	TEAS RESPONSE TO OFFICE ACTION RECEIVED	68171
Jan. 28, 2016	NOTIFICATION OF NON-FINAL ACTION E-MAILED	68171
Jan. 28, 2016	NON-FINAL ACTION E-MAILED	
Jan. 28, 2016	NON-FINAL ACTION WRITTEN	6325
Jan. 21, 2016	ASSIGNED TO EXAMINER	6325
Oct. 14, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	72152
Oct. 12, 2015	NEW APPLICATION ENTERED	72152

### TM Staff and Location Information

TM Staff Information - None

File Location

Date In Location: Jul. 12, 2017

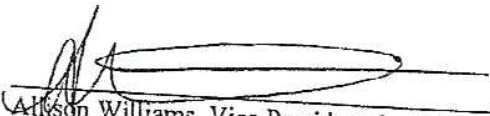
Current Location: PUBLICATION AND ISSUE SECTION

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2023-C-2820 /s/KF

VERIFICATION

I, Allison Williams, as the Vice President for College Life and Dean of Students at Muhlenberg College and the authorized agent of Muhlenberg College, do hereby verify that the statements made in the attached Amended Complaint are true and correct to the best of my knowledge, information and belief. I understand that any false statements made herein are subject to the penalties of 18 Pa. C.S.A. § 4904, relating to unsworn falsification to authorities.

Dated: June 3, 2024

  
Allison Williams, Vice President for College Life  
and Dean of Students at Muhlenberg College